

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	4:07CR3047
Plaintiff,	)	
	)	
vs.	)	
	)	<b>ORDER</b>
DANIEL CLEARY,	)	
	)	
Defendant.	)	

IT IS ORDERED that:

- (1) The government's request for hearing (filing [50](#)) is granted.
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing [48](#)) has been set before the undersigned United States district judge on Friday, March 6, 2009, at 12:00 noon, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) At the request of the defendant through his counsel, the defendant will participate in the hearing by telephone.
- (4) The Marshal is directed not to return the defendant to the district.
- (5) The defendant is held to have waived his right to be present.

February 12, 2009.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge